



Order Filed on February 16, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

**Caption in Compliance with
D.N.J.LBR 9004-1**

STEWART LEGAL GROUP, P.L.
Formed in the State of Florida
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Attorney for Secured Creditor

In re:

John T. Marcellus, Jr.
Jessica L. Marcellus

Debtors.

Chapter 13

Case No. 17-28350-ABA

Judge Andrew B. Altenburg Jr.

CONSENT ORDER RESOLVING CERTIFICATION OF DEFAULT

The relief set forth on the following pages is hereby **ORDERED**.

DATED: February 16, 2022



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Debtors: John T. Marcellus, Jr. and Jessica L. Marcelluss
Case No.: 17-28350-ABA
Caption of Order: **CONSENT ORDER RESOLVING CERTIFICATION OF
DEFAULT**

THIS MATTER having been opened to the Court upon the Certification of Default (“COD”) filed by The Money Source Inc. (“Creditor”), whereas the post-petition arrearage amount was \$37,482.08, as of February 3, 2022, and whereas the Debtors and Creditor seek to resolve the COD, it is hereby **ORDERED**:

1. The automatic stay provided under 11 U.S.C. §362(a) shall remain in effect as to Creditor’s interest in the following property: **56 Stonemill Way, Logan Township, New Jersey 08085** provided that the Debtors comply with the following:

- a. On or before April 1, 2022, the Debtors shall obtain a loan modification and/or a Partial Claim Mortgage and Promissory Note, to address the arrearage on the loan;
- b. If the Debtors do not obtain a modification and/or a Partial Claim Mortgage and updated Promissory Note within the timeframe provided by Paragraph 1(a), then on or before April 1, 2022, then the Debtors shall file a modified plan curing the total arrearage due to Creditor; and
- c. The Debtors shall resume making the regular monthly payments to Creditor as they become due beginning with the March 1, 2022 payment.

2. All direct payments due hereunder not otherwise paid by electronic means and/or automatic draft, shall be sent directly to Creditor at the following address: **The Money Source Inc., 500 S. Broad Street, Suite 100A, Meriden, CT 06450.**

3. The Debtors will be in default under the Consent Order in the event that the Debtors fail to comply with the payment terms and conditions set forth in above paragraphs and/or if the Debtors fail to make any payment due to Creditor under the Chapter 13 Plan.

4. If the Debtors fail to cure the default within thirty (30) days from the date of default, Creditor may submit a Certificate of Default to the Court on fourteen (14) days' notice to counsel for Debtors and the Chapter 13 Trustee for an order lifting the automatic stay imposed under 11 U.S.C. § 362(a) permitting Creditor to exercise any rights under the loan documents with respect to the Property.

5. Creditor is awarded reimbursement of attorney fees in the amount of \$250.00 to be paid through the Chapter 13 Plan.

STIPULATED AND AGREED:

/s/ Brad J. Sadek
Brad J. Sadek, Esq.
Sadek & Cooper
1315 Walnut Street, Ste 502
Philadelphia, PA 19107
Counsel for Debtor

/s/ Gavin N. Stewart
Gavin N. Stewart, Esq.
Stewart Legal Group, P.L.
401 East Jackson Street, Suite 2340
Tampa, FL 33602
Counsel for Creditor

In re:
John T. Marcellus, Jr.
Jessica L. Marcellus
Debtors

Case No. 17-28350-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Feb 16, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 18, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ John T. Marcellus, Jr., Jessica L. Marcellus, 56 Stonemill Way, Swedesboro, NJ 08085-1861

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 18, 2022

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 16, 2022 at the address(es) listed below:

Name	Email Address
Brad J. Sadek	on behalf of Joint Debtor Jessica L. Marcellus bradsadek@gmail.com bradsadek@gmail.com;sadek.bradj.r101013@notify.bestcase.com
Brad J. Sadek	on behalf of Debtor John T. Marcellus Jr. bradsadek@gmail.com, bradsadek@gmail.com;sadek.bradj.r101013@notify.bestcase.com
Brian E Caine	on behalf of Creditor First Guaranty Mortgage Corporation bcaine@parkermccay.com BKcourtnotices@parkermccay.com
Denise E. Carlon	on behalf of Creditor First Guaranty Mortgage Corporation dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Elizabeth L. Wassall	on behalf of Creditor WELLS FARGO BANK N.A. ewassall@logs.com, njbankruptcynotifications@logs.com;logsecf@logs.com

District/off: 0312-1

User: admin

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Date Rcvd: Feb 16, 2022

Form ID: pdf903

Total Noticed: 1

Gavin Stewart

on behalf of Creditor The Money Source Inc. bk@stewartlegalgroup.com

Harold N. Kaplan

on behalf of Creditor HSBC Bank USA N.A. hkaplan@rasnj.com, informationathnk@aol.com

Isabel C. Balboa

ecfmail@standingtrustee.com summarymail@standingtrustee.com

Isabel C. Balboa

on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com

Kevin M. Buttery

on behalf of Creditor HSBC Bank USA N.A. kbuttery@moodklaw.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11